

**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF MASSACHUSETTS**

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**ANNE C. MORISON,**  
**Plaintiff**

**V.**

**THOMAS C. HAWKINS,**  
**Defendant**

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**Civ. Act. No.:**

**PLAINTIFF'S COMPLAINT AND DEMAND FOR TRIAL**

Now comes the Plaintiff in the above-entitled matter and for her Complaint states:

**GENERAL FACTUAL ALLEGATIONS**

1. The Plaintiff, Anne Morison, is a resident of Cape Haze, Florida.
2. The Defendant, Thomas Hawkins, is a resident of Marblehead, Essex County, Massachusetts.
3. On or about August 6, 2022, the Plaintiff, was a passenger aboard a pleasure yacht, M/Y NOKOMIS, Official # 1202921.
4. On or about August 6, 2022, the Defendant owned the M/Y NOKOMIS.
5. The Defendant chartered the M/Y NOKOMIS from some other person or entity such that, on or about August 6, 2022, the Defendant was the owner *pro hac vice* of the M/Y NOKOMIS.
6. On or about August 6, 2022, the Defendant operated the M/Y NOKOMIS.
7. On or about August 6, 2022, the Defendant controlled the M/Y NOKOMIS.
8. On or about August 6, 2022, the M/Y NOKOMIS was in navigable waters.

9. On or about August 6, 2022, while an invited passenger aboard the M/Y NOKOMIS, the Plaintiff sustained personal injuries.
10. The personal injuries sustained by the Plaintiff include, but are not limited to, a severe traumatic brain injuries, and other injuries which will be shown at trial.
11. Prior to and at the time she sustained the above-mentioned personal injuries, the Plaintiff was exercising due care.

### **JURISDICTION**

12. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. § 1332. The Parties are diverse in that the Plaintiff is a resident of Florida and the Defendant, is a Massachusetts resident. The amount in controversy, exclusive of interests and costs, exceeds the sum specified by 28 U.S.C. § 1332. In the event that diversity jurisdiction does not apply, this matter is being brought under the admiralty and maritime jurisdiction of the Court.

### **COUNT I** **Anne C. Morison v. Thomas C. Hawkins** **(NEGLIGENCE)**

13. The Plaintiff reiterates the allegations set forth in paragraphs 1-12 above.
14. On or about August 6, 2022, the Defendant owed the Plaintiff the duty to exercise reasonable care under the circumstances to ensure the Plaintiff's safety.
15. On or about August 6, 2022, the Defendant negligently breached his duty of care to the Plaintiff by failing to operate the M/Y NOKOMIS in a reasonably safe manner, failing to warn the Plaintiff, and/or failing to be aware of the surroundings.
16. The personal injuries sustained by the Plaintiff were not caused by any fault of her own but were caused solely by the negligence of the Defendant.

17. As a direct and proximate result of the Defendant's aforesaid negligence, the Plaintiff has suffered, and continues to suffer from, bodily injury and resulting pain and suffering, disability, disfigurement, mental anguish, loss of capacity for the enjoyment of life, expenses of hospitalization, medical care and treatment, loss of earnings and further damages as will be shown at trial.

**WHEREFORE**, the Plaintiff demands judgment against the Defendant in an amount to be determined by a jury, together with interests and costs.

**PLAINTIFF DEMANDS A TRIAL BY JURY ON ALL ISSUES RAISED HEREIN.**

**Respectfully submitted for the  
the Plaintiff, ANNE MORISON,  
by her attorneys,**

/s Carolyn M. Latti  
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